

ORIGINAL

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

MAY 08 2006

at 7 o'clock and 3 min. 2 M
SUE BEITIA, CLERK

Attorneys for Plaintiffs/Limitation Defendants
SHIROH FUKUOKA, Individually and
as Personal Representative of
THE ESTATE OF MITSUKO FUKUOKA, and
as Next Friend Of MIHO FUKUOKA, a Minor

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

In the Matter	)	Civil No. CV03-00672SOM
	)	(Non-Vehicle Tort)
Of)	
	)	DEFENDANT LIMITATION
The Complaint of MORNING STAR	)	DEFENDANT THE ESTATE OF
CRUISES, INC., a Hawaii	)	MITSUKO FUKUOKA'S MEMORANDUM
corporation.	)	IN OPPOSITION TO MOTION TO
	)	COMPEL DISCOVERY FILED APRIL
SHIROH FUKUOKA,	)	17, 2006; DECLARATION OF
	)	ROBERT D. KAWAMURA;
Plaintiff,	)	CERTIFICATE OF SERVICE
)	
Vs.)	
)	
MORNING STAR CRUISES, INC.,)	
)	
	)	Date: May 26, 2006
	)	Time: 9:00 a.m.
	)	Judge: Barry M. Kurren

**DEFENDANT LIIMITATION DEFENDANT THE ESTATE OF MITSUKO
FUKUOKA'S MEMORANDUM IN OPPOSITION TO MOTION TO COMPEL
DISCOVERY FILED APRIL 17, 2006**

I. Argument

Limitation Defendant THE ESTATE OF MITSUKO FUKUOKA, by and through its attorney, Robert D. Kawamura, hereby responds to Limitation Plaintiff's Motion to Compel Discovery filed April 17, 2006 as follows.

With regard to the production of documents, Limitation Defendants have produced all of Mitsuko Fukuoka's previous treatment records which identify her treating providers as well as pre-existing conditions and/or illnesses. Counsel is expecting other responsive documents within three weeks and shall promptly produce the same to Plaintiff. See Kawamura Declaration.

With regard to the interrogatories requests, the answers shall be forthcoming within three weeks. The discovery responses are almost complete and shall be turned over once completed and may even have the same produced prior to the May 26, 2006 hearing. See Kawamura Declaration. Limitation Defendants apologize to the court for the delay.

II. Conclusion

Based on the foregoing, Limitation Plaintiffs/Defendants respectfully request that the court provide them with three weeks within which to provide their discovery responses and documents to Limitation Plaintiff.

Dated: Honolulu, Hawaii, May 8, 2006.


Robert D. Kawamura

Attorney for Limitation
Defendants
SHIROH FUKUOKA, Individually
and as Personal Representative
of THE ESTATE OF MITSUKO
FUKUOKA, and as Next Friend Of
MIHO FUKUOKA, a Minor